

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

PAUL DAVID BEARD, JR.,)
Plaintiff,) Case No. 4:04CV000048
v.)
JO ANNE B. BARNHART,)
Commissioner of Social Security,)
Defendant.)
) **ORDER**)
) By: Jackson L. Kiser)
) Senior United States District Judge)
)

Before me is the Report and Recommendation of the United States Magistrate Judge recommending affirming the Commissioner's final decision denying plaintiff's claim for benefits. Plaintiff filed objections to the Report and Recommendation. I reviewed Judge Crigler's Report and Recommendation, the plaintiff's objections, and relevant portions of the record. The matter is now ripe for decision. For the reasons stated below, I **ADOPT** Judge Crigler's recommendation and **OVERRULE** the plaintiff's objections. The Commissioner's final decision denying the plaintiff's claim for benefits is **AFFIRMED**, and the case is hereby **DISMISSED**.

The Clerk is hereby instructed to strike this matter and any outstanding motions from the Court's docket. The Clerk is further directed to send a copy of this Order and the accompanying Memorandum Opinion to the Magistrate Judge and all counsel of record.

Entered this 22nd day of June, 2005.

s/Jackson L. Kiser
Senior United States District Judge